issued by the Department of Administrative Reforms and Public Grievances to appoint a full time Grievance Officer as the Director of Grievances in each Ministry/Department/ Office. Complaints made by individuals or associations against an officer are forwarded to the Director of Grievances for taking prompt action. He is also requested to inform the complainant of the action taken. If redressal is likely to take more than four weeks, an interim reply is required to be sent. Provisions have been made in the conduct rules applicable to Civil Servants with a view to providing timely and just service to the people. Action on complaints against officials is taken by the respective Ministeris/Deparments/Offices. The Director of Grievances coordinates in the timely finalisation of complaints.

Penalties on Retired Employees for Their Miscondut During Service Period

4826. SHRI RAGHAVJI: Will the PRIME MINISTER be pleased to state what are the details of penalities which can be inflicted upon Central Government employees after they retire for the misconduct relating to their service period and established after the disciplinary proceedings initiated during active service but concluded soon before or after retirement of the concerned employees?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. MARGARET ALVA): In the cases where disciplinary proceedings are initiated against Government servants during service period but are concluded after retirement and they are found guilty of mis-conduct, the penalty of withholding of pension or gratuity or both either in full or in part; or withdrawing a pension in full or in part, whether permanently or for a specified period, or ordiering recovery from a pensions or gratuity of the whole or part of any pecuniary loss caused to the Government could be imposed under Central Civil Services (Pension) Rules, 1972. However, in cases where such proceedings are concluded soon before retirement, the penalties will be as per provisions of Central Civil Services (Classification, Control and Appeal) Rules, 1965. In these cases where the penalty involves withholding of increments of pay or reduction to a lower stage in the time scale of pay, or reduction to a lower time scale of pay, grade, post, it may result in calculation of pay and gratuity based on reduced pay drawn by the Government servant on the date of retirement.

Methodology of Imposing Penalties

4827. SHRI RAGHAVJI: Will the PRIME MINISTER be pleased to state: what is the methodlogy of imposing different major penalties on those Central Government employees who are to retire on or two months after conclusion of disciplinary proceedings or who have since retired before conclusion of proceedings or before imposition of any penalty?

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS (SMT. MARGARET ALVA) The methodology for imposing different major penalities on Central Government employees is as prescribed in rules 14 and 15 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. In case the departmental procendings instituted against a Government servant are not completed before retirement such proceedings shall be continued and concluded after retirement by the authority by which they were commenced in the same manner as if the Government servant had continued in service. Under Rule 9 of the Central Civil Services (Pension) Rules, 1972, the Prl&dent reserves to himself the right of withholding a pension or gratuity , or

both, either in full or in part, or with drawing a pension in full or in part, whether permanently or for a specified period, and of ordering recovery from a pension or gratuity of the whole or part of any pecuniary loss caused to the Government, if, in any departmental proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of service. The Union Public Service Commission shall be consulted before any final orders are passed under rule 9.

Select Panels for Direct Recruitment

4828. SHRI J.S. RAJU: Will the PRIME MINISTER be pleased to state:

(a) What are the details of instructions that govern preparation and operation of select panels for recruitment of different categories of employees in Central Governments through direct recruitment method; and

(b) whether these are binding on instrumentalities of Government of India?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. MARGARET ALVA): (a) and (b) A copy of the Department of Personnel & A.R.O.M.No. 22011/2/79-Estt(D) dated 8.12.1982 containing instructions on the subject is enclosed as statement (See below). The instructions contained in the O.M. dated 8.2.82 referred to above are applicable to the Ministries/Departments of the Government of India and their Attached and Subordinate Offices only.

Statement

OFFICE MEMORANDUM

Subject:— Validity period of list of selected Candida es propared on the basis of direct recruitment/ Departmental Competitive Examine tion.

The udnersigned is directed to say that references are being received from time to time from Ministries/Departments enquiring as to what should be the validity period of a list of selected candidates prapared on the basis of direct racruitment of Departmental Competitive Examination.

2. Normally, in the case of direct recruitment a list of selected candidates is prepared to the extent of the number of vacancies (other persons found suitable being put on a reserve list, in case some to the persons on the list of selected candidates do not become available for appointment). Similarly, in the case of departmental Compatitive examinations, the list of selected candidates has to be based on the number of vacancies on the date of declaration of results, as the examination is competitive and selection is based on merit. A problem may arise when there is a fluctuation in the vacancies after the list of selected candidates is announced.

3. The matter has been carefully considered. Normally, recruitment whether from the open market or through a Dapartmental Compatitive Examination should take place only when there are no candidates available from an earlier list of selected candidates. However, there is a likelihood of vacancies arising in future; in case, names of selected candidates are already available, there should either be no further recruitment till the available selected candidates are absorbed or the declared vacancies for the next examination should take into account the number of persons already on the list of selected candidates awaiting appointment. Thus, there would be no limit on the period of validity of the list of selected

No. 22011/2/79-Estt (D)
Governemt of India/Bharat Sarkar
Ministry of Home Affairs/Grin Mantralaya
Department of Porsonnel & Admn. Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)
New Delhi, the 8th Feb, 1982